

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RTPR, LLC,)
)
Plaintiff,)
)
v.) **Case No. CIV-22-774-G**
)
PRAKASH KRISHNARAJ et al.,)
)
Defendants.)

ORDER

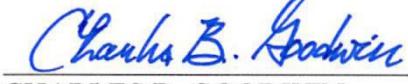
The Court is in receipt of the Notice of Bankruptcy (Doc. No. 28) filed by Defendant SVAL, LLC (“SVAL”) on February 13, 2024, and advising that SVAL has filed for Chapter 7 bankruptcy.

While 11 U.S.C. § 362 extends the automatic-stay provision of the Bankruptcy Code to the bankruptcy “debtor,” the rule followed in the Tenth Circuit and by the majority of other circuits is that the stay provision does not extend to the debtor’s codefendants. *See Fortier v. Dona Anna Plaza Partners*, 747 F.2d 1324, 1330 (10th Cir. 1984). A narrow exception to this rule has been recognized, *see Okla. Federated Gold & Numismatics, Inc. v. Blodgett*, 24 F.3d 136, 141 (10th Cir. 1994), but it is not apparent from the record before the Court that this exception would apply to any of SVAL’s codefendants.

Therefore, unless otherwise notified, Plaintiff RTPR, LLC’s action shall continue as to all defendants other than SVAL. If any party believes that the exception cited above should apply, or instead desires a stay or an administrative closure of this action pending

resolution of the bankruptcy proceeding, that party shall file an appropriate application with the Court within fourteen (14) days of the date of this Order.

IT IS SO ORDERED this 14th day of February, 2024.


Charles B. Goodwin
CHARLES B. GOODWIN
United States District Judge